IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2302 of 2005

Between:

Katne Chinna Venkataiah, S/o. Late Chinna Mallaiah,
R/o. Janwada Village, Shankderpally Mandal, Ranga Reddy District.

... PETITIONER

AND

1. The Grampanchayat, Janwada Village, Rep. by its Sarpanch
Shankarpally Mandal, Ranga Reddy District.
2. The Mandal Parishad Development Officer, Shankarpally
Mandal, Ranga Reddy District.
3. The District Collector, Ranga Reddy District at Hyderbad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents, their men, agents employees or anyone claiming through them in any manner, not to demolish the compound wall and fencing of the land in sy.No. 513 situated at Janwada Village, Shankerpally Mandal, Ranga Reddy District.

Counsel for the Petitioner: M.NARSHIMULU

Counsel for the Respondents 1 & 2: SMT.JYOTHI ESWAR GOGINENI

Counsel for the Respondent No.3: G.P. FOR REVENUE

The Court at the stage of admission made the following:

ORDER

The petitioner claims to be the owner and possessor of the land to an extent of 3.25 Hectares in Sy.No.513 of Janwada village, Shankarpally Mandal, Ranga Reddy District, which falls within the Janwada Grampanchayat of Shankarpally Mandal, Ranga Reddy District.

It is alleged that the first respondent-Grampanchayat has been proclaiming and attempting to lay a road through the land belonging to the petitioner by dismantling the compound wall and fencing constructed around his property. He also states that though he made representations to the respondents 2 and 3 bringing to their notice, the highhanded action of the first respondent, there was no response. Hence, this writ petition.

Having heard the learned counsel for both the parties and keeping in view the assertion of the petitioner that he is the owner and possessor of the land in question, without expressing any opinion as to the claim made by him, the writ petition is disposed of with a direction to the first respondent not to proceed further with laying of the proposed road through the land in question, without following due process of law.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 11-02-2005

LSK

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

To

1. The Sarpanch, Grampanchayat, Janwada Village,
Shankarpally Mandal, Ranga Reddy District.
2. The Mandal Parishad Development Officer, Shankarpally
Mandal, Ranga Reddy District.
3. The District Collector, Ranga Reddy District at Hyderbad.

4. Two C.D. copies.